

1910.

(Prisons)

Later references.

Pris 58-09-1108

66/59-30/4

Pris 31-31/5/11

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 7

Part B for November 1910.

SUBJECT.

Calculation of the period of sentence of imprisonment passed by a Mysore Magistrate on a person already undergoing imprisonment for a sentence passed by a Magistrate of the C & M. Station.

Table of Contents

1. From the District Magistrate Bangalore No. 4985-8-10
Solicits instructions as to whether the period of overdetention of ~~Chintamani~~ ^{Nathu} alias Joseph, in the Vellore central jail may be reckoned towards the sentence passed on him by the City Magistrate, Bangalore
2. To the D. Magistrate Bangalore No. 385 & 6-8-10
Invites his attention to para 2 of this office letter No. Pol 878 & 13-4-1910 to the F.A. Resident (a copy of which was forwarded to him with this office letter No. 3420 & 6-5-10) stating that the Darbar had no objection to the period in question being considered as forming part of the sentence passed on him by the City Magistrate, Bangalore

P.T.N.

3) To the St. Magre Bangalore No 9575 of 18-8-10.

States that it is understood that the City Magre Bangalore has directed that the sentences passed by him on ~~chintamani~~ ^{nathambi} should commence after the expiry of the C & M Station sentence and request that the same be verified by reference to the original records and adds that if the statement made above be correct the sentence passed on the convict in question by the City Magre Bangalore may be ~~re-issued~~ ^{re-issued} from the 23rd April 1910.

Copy to the S. G. of Prisons in Mysore No 9576 of 18-8-10

4) From the S. G. of Prisons in Mysore No 1205/1308 of 16-9-10

States that as the sentence passed on the prisoner by the court in the C & M Station expired on the 23rd April 1909 taking into consideration the remissions granted by the Br Govt in connection with the proclamation of 1908 and that which the prisoner earned in the usual course, the date given in Sl 3 which is 23-4-1910 is not correct; also enquires if the portion of the remission granted by the Br Govt on the occasion of the proclamation of 1908 which is calculated on the sentences passed by a Mysore Court should be allowed to the prisoner.

5) From the St. Magre Bangalore Bangalore No 5131 of 21-9-10

with reference to Sl 3, forwards copy of letter no 86 of 1-9-10 from the City Magre Bangalore which states that though there is nothing in the records of the City Magre's Court to show the date on which the sentence passed by that Court should take effect, yet the warrants sent to the Supdt. Central Jail contain a note to show that the said sentences should take effect from the date of expiry of the sentence passed by the C & M Sta. Court & that the Supdt. Central Jail has therefore been instructed to give effect to the Mysore sentences from the 23rd April 1910 (as directed)

6) To the S. G. of Prisons of 1092 of 1-10-10

States that 23rd April 1910 was an error for 24th April 1909 & that correction may be made in the communication (Sl 3) accordingly

Copy to St. Magre Bangalore No 993 of 10-10-10

7) To S. G. of Prisons No 9147 of 8-11-10

States that convict Chinnathambi is not entitled to any Proclamation remission on the sentence passed on him by the City Magre Bangalore
Copy to St. Magre Bangalore No 9147 of 8-11-10

GENERAL AND REVENUE SECRETARIAT

(Prisons)

NOTES.

File No. 13-10.

FILE HEADING.

Calculation of the period of a sentence of imprisonment passed by a Mysore Magistrate on a person already undergoing imprisonment for a sentence passed by a Magistrate of the Chikmagalur District.

From

The District Magistrate, Bangalore St.

No. 49

Dated 5.8.10

Received 6.8.10

Diary No. 737

Enclos. —

Spare Copies —

Serial No. 1

BRIEF ABSTRACT OF LETTER.

Solicits instructions as to whether the period of ~~sentence of~~ ~~imprisonment~~ of over detention in the Vellore Central Jail may be reckoned towards the sentence passed on him by the Bangalore City Magistrate.

NOTES AND ORDERS.

The St. Magistrate, Bangalore, was informed already that the Govt. had agreed to consider the period of the over detention of Joseph as part of the sentence served by him of the

Serial
No.

sentence passed on him by a
Magistrate

2 The point on which orders
are to issue is ~~that~~ ~~referred~~
on the question raised by the
Asst Secretary in para 8
of his note dated 9.4.10 in
file no 58-07.

3 ~~Submitted for approval~~

3 Submitted for orders

4 (1) Invite the St. Magt's attention
to our letter no J. 3420 dated 6 May
1910.

5 (2) Submit the file at once for consideration
of the St. Magt.

6/8/10. SD

6 Draft submitted for approval.

C.B. 6/8/10
6/8/10

7 Issued
6/8/10 SD

Pri File No. 13 of 1900

Serial
No.

2

To

The District Magistrate, Bangalore.
No 385 dtd 6.8.10.

Draws his attention to Para 2 of this office letter no P.O. 878 dated the 13th April 1910 to the F.A. Resident in Mysore (a copy of which was sent to him with this office letter no 93420 dtd 6.5.10) stating that the Durbar had no objection to the period in question being considered as forming part of the sentence passed on him by the City Magistrate, ~~Bangalore~~ Bangalore.

8 From the records of the Bangalore Central Jail it is ^{since} ascertained, informally, that the City Magistrate, Bangalore, has directed, in his order, that the sentence passed by him on Chennathambi alias Joseph should commence after the expiry of the sentence of imprisonment he was already undergoing ~~from the~~ & which was passed on him by the Magistrate, Bangalore.

9 It is therefore submitted that no further action in the direction

Serial
No.

proposed on the previous page
need be taken with regard to the
Case of Chinnathambi.

A Draft, intimating the above to the
District Magistrate, Bangalore,
with reference to the latter portion
of this office letter no. 3420 dated
the 6th May 1900 to him, is submitted
for approval.

II The general question as to
when a Mysore sentence should
commence, if imposed after the
sentence of a British
Indian Magistrate, in the
absence of any specific orders
on the point by
the Mysore Magistrate,
may be decided after the issue
of the draft to the D. Magt, Bangalore.

C. S. V.
8.8.10

12 send and submit file

This for receipt
18/8/00
24/8/00

Serial
No.

3

To

The City Magistrate, Bangalore.

No J 575 of 18-8-10.

States that it is understood that the City Magistrate, Bangalore, has directed that the sentences passed by him on Chinnathambi should commence after the expiry of the C & M. Station sentence & requests him to verify the above by reference to the original records and add that if the statement made above ^{is} correct the sentence passed on the convict by the City Magistrate, Bangalore, may be reckoned from the 23rd April 1910.

Copy to the J. & J. of Prisons in Mysore. No J 576 of 18-8-10.

4

From the J. & J. of Prisons in Mysore.

No 1205/13-08 of 16-9-10.

States that as the sentence passed on the prisoner by the Court in the C & M. Sta, Bangalore, expired on the 23rd April 1909 taking into consideration the remissions granted by the MS Govt in connection with the proclamation of 1908 and that which the prisoner earned in

Pris File No. 73 of 1900

Serial
No.

in the usual course, ~~and that~~ ~~therefore~~
the date given in this office letter to
the City-Magistrate, Bangalore - (813) -
which is 23rd April 1910 is not correct;
also enquires if the ^{portion of the} remission granted
^{by the H.S. Court} to the prisoner ~~during~~ on the occasion
of the proclamation of 1908 which is
calculated in the sentences passed
by a Mysore Court should be allowed
to the prisoner.

5. From the City-Magistrate, Bangalore -
N^o. S. 131 of 21. 4. 10.

With reference to S1 no 3 forwarded a copy
of letter no 86 of 1. 9. 10 from the City-Magistrate
Bangalore which states that though
there is nothing in the records of the
City-Magistrate's Court to show the date on
which the sentences passed by that
Court should take effect, yet the
warrants sent to the Supt of the Central
jail contain a note to show that the
said sentences should take effect
from the date of passing of the sentence
passed by the City-Magistrate's Court and that
the Supt of the Central jail has therefore
been instructed to give effect to the

Serial
No.

other prisoner of the State was
granted any remission on the
occasion of the Proclamation of 1908.
Subd for orders.

Ch. SN / 29/9/10

27/9/10

15 First put up a draft that
"23rd April 1910" was a C in our
letter no. 24th April 1909" and that the correction
may be made accordingly — Early
Then Submit file for the
Consideration of the question. Sa

SN

29/9/10.

16 Pres 29/9/10

Draft is put up.

Ch. SN / 29/9/10

29/9/10

29/9/10

Instructions to the
"to be taken into
reference"

11/10

To the G. S. prisoners + (copy to Mr. Wright, Bangalore)
States that 23rd April 1910 was an error for
the 24th Apr 1908 and that correction may be
made in the Com. accordingly -

P.T.

+ as personally conducted
by the Secretary
29/9/10

A very regrettable
Error which the
Office should not
have committed.

29/9/10

to be corrected: put up

29/9/10

Serial
No.

My son sentence was not
enjoyed by the convict while
he was incarcerated in the
Vellore jail. If he had
so enjoyed it the matter will
have to be brought to the
notice of the Madras Govt

W. V.
12/11/10
etc.

25 He could not have
enjoyed the remission on the
My son sentence when at Vellore —
is it not so? Please etc

14/11/10. S. A.

File 11/11

N

26 In 7th Resident's letter No 1957
dated 30th March 1900 it is stated
that the convict was granted a
9 months & 15 days Proclamation
Remission on 2nd Nov. 1908 but
that only 3 months & 15 days
were taken into account for
purposes of the sentence of
3 years & 6 months passed on

Serial
No.

him by the C & M. Station
Magistrate, & C

27 It is thus seen that the convict
has not yet enjoyed the full
benefit of the Proclamation
Remission granted to him
by the British Indian
authorities.

28 The draft as now approved
may perhaps be issued. Submitted
for orders.

C.B. SN
14/11 15/11/40

Yes Issue
SA

15/11/40

B. Rec
26/11/40

7

To The D. G. of Prisons in Mysore
No 71478 of 18-11-40

States that Convict Chinnetthambi
is not entitled to any Proclamation
remission on the ground of remission
on him by the City Magistrate
of Bangalore.

To The D. G. of Prisons in Mysore
No 71479 of 18-11-40
Forwards a copy of the above.

S. No. 49

Bangalore District
District Magistrate's Office 9379
Dated 5th August 1910.
Res 13-10
Am

From B. J. Kumarasami Naik Esq., B.A.
District Magistrate,
Bangalore District

To C. G. Balasubendram Iyer Esq., B.A.
Officiating Secretary to the Govt. of Mysore
General & Revenue Departments

Sir
With reference to your letter No. J. 3420 dated
6th May 1910, re the over detention of prisoner Chenna-
thambi alias Joseph in the Vellore Central Jail, I
have the honor to solicit the early orders of Government
as to whether the period of over detention suffered by
the prisoner in the Vellore Central Jail may be re-
ckoned towards the sentence passed on him by the
City Magistrate, Bangalore

I have the honor to be,

Sir,

Yours most obedient servant,

For ~~the~~ ~~Magistrate~~
District Magistrate,
Bangalore District
Wm

W. J. 379
III
6/8
1910-11

From The Deputy Commissioner
Bangalore District

To The Secretary to the
Government of Mysore
Gen & Rev Department

Dated 5th } August 1910
Despatched }

Received

General No.

S. No. 49

Enclosure no.

His Letter NO J 3420 & 6-5-1910

Solicits early orders of
Government as to whether
the period of over detention
suffered by the prisoner
Chinnathambi alias
Joseph in the Vellore
Central Jail may be
reckoned towards the
Sentence passed by the
City Magistrate Bangalore

Diary No. of letter replied to 9377

No. 9385

General and Revenue Secretariat

(Prisons)

, the

190

To

The Dt. Inspr.
Bangalore Dt.Date of issue 6.8.10Signed by Mr. H. S. Srinivas

This letter No. 49 dated
the 5th Aug. 1910 enquiring
whether the period of
over detention of convict
~~Joseph alias~~ Chinnar
Thambi alias Joseph
in the Vellore central
jail should be ~~considered~~
~~excluded~~ reckoned
towards the sentence
passed on him by the
City Magistrate, Bangalore.

With reference to the
above, has the honor to
over.

SUBJECT.

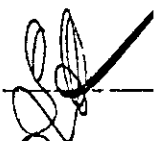
invite his attention
to para 2 of this office
letter no 106 878 dated
the 13th April 1910 & the
First Arch. to the

Honble the Resident ^{for copy of which was}
in the ~~possible~~ ^{my voice} forwarded with his
office letter no. 83420 of 6.5.1910 stating that the
~~information~~ that the

to be - I had no objection
to the period in question
being considered as
forming part of the
sentence passed on
Chinnathambi & forwarded
to him with this office.

~~letter no 83420~~
~~dated the 6th May 1910~~

By order



For Secretary

by the city
Magistrate, Bangalore

List of enclosures,

Copied by

Examined by

C.B. SN
6/8/10

W
G.R.S. 26]

ab
15/8/10 (9-15 AM)
File No. 13-10

Serial No. 3.

Diary No. of letter replied to 7379

NO. 545

General and Revenue Secretariat

(Prisons)
, the 190

To

The District Magistrate,
Bangalore Dt.

Date of issue 18/8/10

Signed by Mr. Ramana

Sir,

With reference to the question raised in the latter part of this office letter No 73420 dated the 6th May 1910, regarding the date of commencement of the sentence of imprisonment passed on Chinnathangabina Joseph, No 4141, of the Bangalore central Jail, I am directed to state that it has since been ascertained that the City Magistrate of Bangalore has directed

over.

it is understood

SUBJECT.

that the sentences passed
by him on to Kuma
thambi should com-
mence after the expiry
of the sentence passed on
him by the St. Magt,
of the C.M. Station, Bangalore.

I am therefore to request you to be so good as to
add that ^{if the statement made above is correct} the sentence
passed on the convict by
the City Magt. of
Bangalore be reckoned
from the 23rd April
1910

I have &c

SA
For Secretary

list of enclosures,

J 5769/18/8/10

Copy to the J. G. of Prisons
in Mysore for information
& communication to the
Supdt. Central Jail,
Bangalore in continuation
of this office letter No. 34217/6.5.10.

Copied by

Examined by

al
18/8/10

By order

SA
For Secretary

SA
18/8/10

Pris 13-10-4

No. 1205
13-08

Office of the Insp. Genl. of Prisons in Mysore;

Dated Bangalore, 16th September 1910.

From

P.S. Achyuta Rao Esqr.,

Offg. Inspector-General of Prisons in Mysore.

To

C.S. Balasundaram Iyer Esqr., B.A.,

Offg. Secretary to the Govt. of H.P.

the Maharaja of Mysore, Genl. & Rev. Deptts.

Sir,

I have the honor to bring to your kind notice that in your letter No. J.575/Pris.13-10-3 of the 18th August 1910 to the District Magistrate of Bangalore - copy of which was sent to me with your endorsement No. J.576 of the same date - 23rd April 1910 is stated to be the date from which should be reckoned the sentence passed by the City Magistrate of Bangalore on prisoner No. 4141 Chinnathambi alias Joseph of the Bangalore Central Jail. This date is discrepant with the one mentioned in your previous communication on the subject (vide your letters Nos. Pol.878 and J.3420/Pris.58-09-8 dated the 13th April and 6th May 1910 respectively to the Residency and the District Magistrate of Bangalore) and besides the Superintendent of the Bangalore Central Jail informs me that the sentence passed by the District Magistrate of Civil and Military Station, Bangalore, on the above convict expired on the 23rd April 1909. Consequently the sentence passed by the Mysore Court can have effect only from the 24th April 1909 - the following day and I request to be informed if my view is correct.

2. The Superintendent also informs me that while the above convict was imprisoned in the Vellore Jail, he was granted a total remission of 419 days of which 9 months and 15 days was on account of the Proclamation - calculated on the total term of 9 years and 2 months awarded on the prisoner - viz, 3½ years by the District Magistrate of Civil and Military Station, Bangalore, and 5 years and 8 months by the City Magistrate of Bangalore. The Superintendent of the Vellore Jail has endorsed on the warrant

slip

17/9/10
190

From

The Insp^r Gen^l of Prisons
in Mysore.

To

The Secy. to Govt.
Gen^l & Res. Dept.

Dated 16th September/10.

Despatched

Received

General No. 1205
No. 13-08

Enclosure No.

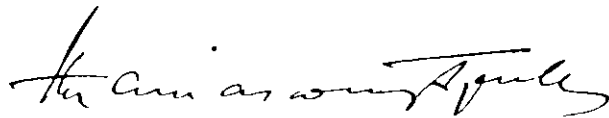
Solicits instructions as to whether the proclamation re-mission of 210 days towards the sentence passed by the City Magte may be excluded in computing the period of imprisonment which the prisoner No 4141 Chinnathambi alias Joseph has to undergo in the B. C. Jail.

slip that the convict was accredited with 209 days remission in that Jail for the 3½ years sentence passed by the British Court and the balance of 210 days towards the sentence passed by the ~~British~~ City Magistrate. Apart from the doubt I feel as to whether the British Government can remit any portion of a sentence passed by a Magistrate of this State, I think that it is unfair to give the benefit of the remission to this particular prisoner while no other convict confined in this State was shown such a concession on the occasion of the Proclamation. I solicit instructions as to whether the Proclamation remission of 210 days above referred to may be excluded in computing the period of imprisonment which the prisoner has to undergo in the Bangalore Central Jail.

I have the honor to be,

Sir,

Your most obedient servant,



. For Offg. Insp. Genl. of Prisons.



S 131
vml

District Magistrate's Office.
Bangalore District.
Dated Bangalore 19th Sept: 1910.

From
B. J. Kumaraswami Naik Esq B. A.
Deputy Commissioner.
Bangalore District.

To
C. J. Balasundaram Iyer Esq B. A.
Offs: Secretary to the Govt. of Mysore.
General & Revenue Departments.
Bangalore

Sir,

With reference to your letter
No: 575 dated 18th August 1910,
Pris: 13-10-3
directing that the sentence passed on
convict Chinnathambi alias Joseph,
may be reckoned from the 23rd
April 1910, I have the honor to
forward herewith, for informa-
tion of Government, ^{copy of} letter No:
86 dated 1st September 1910, received
from the City Magistrate, Bangalore,
on the subject.

I have the honor to be,

Sir,

Your most Obedt. Servant,

^{for} District Magistrate.
Bangalore District.

Letter no: 86 Dated 1st Sept. 1910, from
The City Magistrate, Bangalore, to
The District Magistrate, Bangalore
District, Bangalore.

His no: J. 439 dated 23rd August 1910, forwarding copy of Govt. Secretary's letter no: 575 dated 18th instant, has the honor to state that though nothing has been stated in the records of this Court about the commencement of the sentence of Chinnathambi alias Joseph, a note on the warrants sent to the Central Jail has been made to the effect that the sentences of this Court are to take effect after the expiry of the sentence he was then undergoing - i.e. the sentence passed by the District Magistrate, Civil and Military Station, Bangalore. However, a copy of the District Magistrate's letter no: J. 379 dated 16th August 1910, has

has been sent to the Superintendent,
Central Jail, to calculate the sentence of Chin-
nathambi alias Joseph,
from the 23rd of April 1910.

Copy

for Mr. N. S. S. S. S.
District Magistrate.
Bangalore District.
for

G.R.S. 26]

Pris

File No. 13-10

Serial No. 6

Diary No. of letter replied to _____

No. J/092

General and Revenue Secretariat

(*Pris*)

, the

19 .

To

The J. G. of Prisons in Mysore

Date of issue 1-10-10

Sir,

Signed by Mr. S. Hingarnarya

Referring to your letter
No. 1205/13-08 dated the 16th Sept 1910
re the date of commencement of
the sentence of imprisonment
passed by the City Magistrate
of Bangalore on prisoner No. 4141
Chinnathambi alias Joseph of
the Bangalore Central Jail,
I am directed to state that
the date, 23rd April 1910,
mentioned at the end of the
second para of this office
letter No. J. 575/Pris 13-10-3
of 18.8.10, a copy of which was
forwarded to you, was a
over.

SUBJECT.

a clerical error for the

24th April 1909. I am

therefore to request that the ~~error~~ date in the copy may be
~~said date~~ may be ^{the} corrected (corrected)

Accordingly.

✓ 2. I am to add that separate orders will be issued on
the question raised in the
second para of your letter
under reply. is under the
consideration of Govt.

I have &
Sd/
for GHS Secy

Memo. No. J. 1093 of 1-10-10

Copy of the foregoing is
forwarded to the Lt
Magte, Bangalore, with
reference to the correspondence
ending with his letter no.

S. 131 of 19/21 - 9-1910

R.O.
Sd/
for GHS Secy

List of enclosures,

Copied by *Aditya Kumar*
Examined by *30/9/10*

Ch. Sd/
2/10/10

14/2
G.R.S. 26]

ab
Bris File No. 13-10

Serial No. 7.

15/10/10
Diary No. of letter replied to 7841

No. 1478

General and Revenue Secretariat

(Prisons)

, the

19 .

To

The Inspector General
of Prisons in Mysore

Date of issue 18-11-10

Signed by Mr S. H. Srinivasanna

Sir

In continuation of this office
letter No 1092 dated the 1st inst
1910 intimating the corrected
date of the Commencement
of the sentence of imprisonment
passed by the City
Magistrate of Bangalore
on Criminal No 4161, Chinna
Ithambi alias Joseph of
the Bangalore Central
Jail, and in reply to
para 2 of your letter dated
NO. 1205/13-08 dated the
16th Sept 1910, I am directed

over.

SUBJECT:

S. H. Srinivasanna

to state that ~~Chinna~~ alias Joseph
Convict Chinna Theinbi ~~alias Joseph~~
is not entitled
to any remission on the
~~of the~~ sentence passed
on him by the City
Magistrate of Bangalore,
~~on account of the~~
~~on the occasion of the~~ on account of the
Proclamation of
His late Majesty King Emperor
Edward VII, as no
such concession
was shown to any
~~the~~ Mysore Convict
~~on the occasion~~
I am therefore to
request you to not
to take into account
the remission granted
to him on the Mysore
sentence but to have
the full ^{term} sentence
served by him in
the usual course.

WV
12/11/10

List of enclosures,

(un necessary)
Copied by
Examined by

G.R.S. 27]

GENERAL AND REVENUE
SECRETARIAT.

(Continuation Sheet draft form)

SW

I have J.C.

SA

for ~~the~~ Secretary.

8/14/79
~~8/14/79~~ & 18/11/80

Copy of the above is
forwarded to the St.
Magr, Bangalore Dt.,
for information in
continuation of this
Office Memo no 71093
dated the 1st Oct 1880

By order

SA

for ~~the~~ Offg. Secretary.

G.B. N/
8/11

24/11/80
24/11/80
18/11/80
G.B. N